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 CITY OF OAKLAND and DEANNA SANTANA

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DARYELLE LAWANNA PRESTON

Plaintiff,

vs.

CITY OF OAKLAND; DEANNA
 SANTANA, in her individual capacity; and
 DOES 1-10, inclusive

Defendants.

Case No. C14-02022 NC

**DEFENDANTS' [PROPOSED]
 VERDICT FORM AS TO DEANNA
 SANTANA**

Courtroom: D
 Judge: Magistrate Nathaniel Cousins
 Trial Date: September 14, 2015

Action Filed: March 17, 2014

Plaintiff Daryelle Lawana Preston ("Plaintiff") and Defendants CITY OF OAKLAND
 and DEANNA SANTANA ("Defendants"), hereby submit the following proposed special
 verdict forms in connection with the above captioned matter.

We answer the questions submitted to us as follows:

1. Did Plaintiff engage in free speech under the First Amendment?

_____ Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. When Plaintiff engaged in her right to free speech, was she acting as a private citizen and not as part of her official duties?

_____ Yes _____ No

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Was Plaintiff's protected speech on a matter of public concern?

_____ Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Was Plaintiff's protected speech a substantial factor for her discharge?

_____ Yes _____ No

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

5. Would the City of Oakland have terminated Plaintiff absent her engaging in her right to free speech?

_____ Yes _____ No

If your answer to question 5 is no, then answer question 6. If you answered yes, stop here, answer no further questions, and have the presiding juror sign and date this form.

6. Would the City of Oakland have terminated Plaintiff for information it discovered after October 3, 2013?

_____ Yes _____ No

1 If you answer to question 6 is yes, then answer question 7. If you answered no, skip to
2 question 8.

3 7. On what date did the City of Oakland discover information that would have justified
4 Plaintiff's termination after October 3, 2013? _____
5

6 8. What are Plaintiff's damages?

7 a. Emotional distress damages \$ _____

8 TOTAL: \$ _____
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